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| Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address<br><br>Baruch C. Cohen, Esq. (SBN 159455)<br>LAW OFFICE OF BARUCH C. COHEN<br>A Professional Law Corporation<br>4929 Wilshire Boulevard, Suite 940<br>Los Angeles, California 90010<br>(323) 937-4501 Fax (323) 937-4503<br>e-mail: baruchcohen@baruchcohenesq.com | FOR COURT USE ONLY   |
| <input type="checkbox"/> Individual appearing without attorney<br><input checked="" type="checkbox"/> Attorney for: Matt & Christine Capelouto  |  |
| <b>UNITED STATES BANKRUPTCY COURT<br/>CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION</b>   |  |
| In re:<br>Brandon Michael McDowell<br><br><br><div style="text-align: right;">Debtor(s).</div>  | CASE NO.: 6:22-bk-14752-MH<br>ADVERSARY NO.: 6:23-ap-01041-MH<br>CHAPTER: 7  |
| Matt & Christine Capelouto<br><br><br><div style="text-align: right;">Plaintiff(s),</div> <div style="text-align: center;">vs.</div> Brandon Michael McDowell<br><br><br><div style="text-align: right;">Defendant(s).</div>  | <div style="text-align: center;"> <b>REQUEST THAT THE CLERK ISSUE<br/>ANOTHER SUMMONS AND<br/>NOTICE OF STATUS CONFERENCE</b><br/><br/> <b>[LBR 7004-1(a)(1)(B)]</b> </div> <div style="text-align: center; margin-top: 20px;">           No hearing required [LBR 9013-1(p)]         </div> |

**PLEASE TAKE NOTICE THAT** (*name of party*) Matt & Christine Capelouto requests that the clerk issue another Summons and Notice of Status Conference, for the reason(s) stated below. This request is made pursuant to LBR 9013-1(p), which allows the court to grant the request without a hearing.

☒ **A. ORIGINAL SUMMONS NOT TIMELY SERVED** [FRBP 7004(e)]

1. A summons was issued and filed by the clerk as docket entry # 2 on (date) 05/12/2023.
2. The 7-day period to serve a summons ended on (date) 05/19/2023.

3. The period to serve a summons ended without service of the summons on the following previously named parties:

a. Brandon Michael McDowell

b. \_\_\_\_\_

c. \_\_\_\_\_

4. Therefore, another summons ("alias summons") is needed.

☐ **B. NEW PARTY TO BE ADDED OR JOINED** [FRBP 7014, 7019, 7020]

1. Movant is: ☐ Plaintiff ☐ Third-Party Plaintiff

2. Name of the party(ies) to be added or joined:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

3. The document that identifies the new party(ies) is filed as docket entry # \_\_\_\_\_ on (date) \_\_\_\_\_:

☐ Amended Complaint

☐ Third-Party Complaint

4. Therefore, another summons is needed to serve the new party(ies).

Date: 06/16/2023

Baruch C. Cohen

Print name of Movant or Attorney for Movant

/s/ Baruch C. Cohen

Signature of Movant or Attorney for Movant

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

4929 Wilshire Boulevard, Suite 940, Los Angeles, California 90010.

A true and correct copy of the foregoing document entitled: **REQUEST THAT THE CLERK ISSUE ANOTHER SUMMONS AND NOTICE OF STATUS CONFERENCE [LBR 7004-(1)(a)(1)(C)]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On 6/16/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Baruch C Cohen      bcc@BaruchCohenEsq.com, paralegal@baruchcohenesq.com  
US Trustee (RS)      ustpregion16.rs.ecf@usdoj.gov  
Robert Whitmore (TR)      rswtrustee@yahoo.com, rwhitmore@ecf.axosfs.com

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:** On 6/16/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Brandon Michael McDowell, Register No. 79243-509  
FCI Terminal Island, Federal Correctional Institution  
PO Box 3007  
San Pedro CA 90733 \*\*\*

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on 6/16/2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Hon. Mark D. Houle, 3420 Twelfth St., Riverside, CA 92501

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

6/16/2023  
Date

Baruch C. Cohen, Esq.  
Printed Name

/s/ Baruch C. Cohen  
Signature